

[CHAPTER 56.]

AN ACT

April 10, 1935.
[S. 1605.]

[Public, No. 31.]

Authorizing the President to present Distinguished Flying Crosses to Air Marshal Italo Balbo and General Aldo Pellegrini, of the Royal Italian Air Force.

Air Marshal Italo
Balbo and General
Aldo Pellegrini.
Distinguished Flying
Crosses awarded to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to present Distinguished Flying Crosses to Air Marshal Italo Balbo and General Aldo Pellegrini, of the Royal Italian Air Force, in recognition of their formation flight with twenty-four seaplanes to the United States and back to Italy, which was an event of National importance, a great aeronautical achievement, and a mark of the good will between Italy and the United States.

Approved, April 10, 1935.

[CHAPTER 57.]

AN ACT

April 11, 1935.
[S. 404.]

[Public, No. 32.]

To provide for the acquisition of land in the District of Columbia in excess of that required for public projects and improvements, and for other purposes.

District of Columbia.
Authority to acquire
land, in excess of public
requirements, provided for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the orderly and proper development of the seat of government of the United States, the Commissioners of the District of Columbia, or agencies of the United States authorized by law to acquire real estate, be, and they are hereby, authorized and empowered to acquire, in the public interest, by gift, dedication, exchange, purchase, or condemnation, fee simple title to land, or rights in or on land or easements or restrictions therein, within said District, for public uses, works, and improvements authorized by Congress, in excess of that actually needed for and essential to the usefulness of such public uses, works, and improvements, in order to preserve the view, appearance, light, and air and to enhance the usefulness of such public works and improvements to prevent the use of private property adjacent to such public works and improvements in such a manner as to impair the public benefit derived from the construction thereof, or to prevent inequities or hardship to the owners of adjacent private property by depriving them of the beneficial use of their property.

Purpose.

Excess land; disposition authorized.

Reservation concerning future use.

Deposit of receipts from sales.

Provisos.
Notices of intended sales.

SEC. 2. The Commissioners of the District of Columbia or agencies of the United States authorized by law to acquire real estate are further authorized, upon completion of public improvements, to subdivide, and sell at public or private sale, or exchange, any such excess land, and to carry out such purpose or purposes, to convey any lands acquired in excess of that actually needed and which is not essential to the usefulness of such public works, with such reservations concerning the future use and occupation of such real estate as may in their discretion be necessary to protect such public improvements; and any and all moneys received from any sale or transfer of land in accordance with the provisions of this Act shall be covered into the Treasury of the United States, and where the property sold was acquired under an appropriation authorized for the use of the District of Columbia, any and all moneys received from such sale shall be deposited in the Treasury to the credit of the revenues of the District of Columbia: *Provided*, That in the event of sale as herein authorized, notice of not less than twenty days before such sale shall be published in a daily newspaper published in the District of Columbia, and notice by registered mail before such sale be mailed to the last known address of the persons listed

on the records of the assessor of the District of Columbia as the owners of the land abutting the land to be sold and sold at not less than the fair market value at the time sold as determined by appraisement of the assessor of the District of Columbia: *Provided, however,* That whenever the authorities of the United States or the District of Columbia having jurisdiction over such acquired land, or rights or easements, shall elect to retain any or all of the same for use of the United States or the District of Columbia, the said authorities are authorized to use said land, rights, or easements for park, playground, highway, or alley purposes, or for any other lawful purpose which the said authorities shall deem advantageous or in the public interest.

Authority to use, for designated purposes.

SEC. 3. That whenever land is purchased, as provided in this Act, in excess of that needed in connection with a particular project or improvement, any and all appropriations available for the payment of the purchase price, costs, and expenses incident to such project or improvement are hereby authorized for use in the payment of the purchase price, costs, and expenses of any and all excess land purchased in connection with such project or improvement, as provided in this Act.

Funds available for purchasing, etc.

SEC. 4. That whenever excess land is condemned by the Commissioners of the District of Columbia, in accordance with the provisions of this Act, the condemnation proceedings for the acquisition of such land shall be in accordance with chapter 15, subchapter 1 of chapter 15, and/or sections 1608 to 1610, inclusive, of the Code of Laws for the District of Columbia: *Provided,* That any and all appropriations available for the payment of awards, damages, and costs in condemnation proceedings under chapter 15 of the Code of Laws for the District of Columbia are hereby authorized for use in the payment of awards, damages, and costs in any and all condemnation proceedings under said chapter 15 for the acquisition of excess land, as provided in this Act: *Provided further,* That any and all appropriations available for the payment of awards, damages, and costs in condemnation proceedings under subchapter 1 of chapter 15 and/or sections 1608 to 1610, inclusive, of the Code of Laws for the District of Columbia are hereby authorized for use in the payment of awards, damages, and costs in any and all condemnation proceedings under said subchapter 1 of chapter 15 and/or said sections 1608 to 1610, inclusive, for the acquisition of excess land, as provided in this Act: *And provided further,* That in any and all cases where such excess land is condemned, no assessments for benefits shall be levied by the jury in respect to the acquisition of said excess land.

Condemnation proceedings under District of Columbia Code.
Vol. 31, p. 1265; Vol. 33, p. 733.

Proviso.
Appropriations available.

Particular projects.

No assessments for benefits to be levied.

SEC. 5. That whenever excess land is condemned by agencies of the United States, other than the Commissioners of the District of Columbia, as provided in this Act, the condemnation proceedings for the acquisition of such land shall be in accordance with an Act approved March 1, 1929, as amended, or any law or laws in effect at the time of such condemnation for the acquisition of land in the District of Columbia for use of the United States: *Provided,* That any and all appropriations available for the condemnation of land under said Act approved March 1, 1929, as amended, are hereby authorized for use in the payments of awards, damages, and costs in any and all condemnation proceedings under said Act, as amended, for the acquisition of excess land, as provided in this Act.

Condemnation by Federal agencies.

Vol. 45, p. 1415.
U. S. C., p. 1796.

Proviso.
Payment of awards, etc.

SEC. 6. That the portion of the Act approved February 25, 1907, entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled 'An Act to establish a Code of Laws for the District of Columbia', regulating proceedings for condemnation of land for

Assessments for benefits when dedication of part of lot.
Vol. 34, p. 930; Vol. 35, p. 532.

streets' " (34 Stat. 930; ch. 1195, sec. 491g), reading: "And where part of any lot, piece, parcel, or tract of land has been dedicated for the opening, extension, widening or straightening of the street, avenue, road, or highway, the jury, in determining whether the remainder of said lot, piece, parcel, or tract is to be assessed for benefits, and the amount of benefits, if any, to be assessed thereon, shall also take into consideration the fact of such dedication and the value of the land so dedicated " is hereby repealed.

Effect on existing laws.

SEC. 7. With the exception of section 6, none of the provisions of this Act shall be construed as repealing any provisions of existing law pertaining to the condemnation or acquisition of streets, alleys, or land, or the law or laws relating to the subdividing of lands in the District of Columbia.

Saving clause.

SEC. 8. If any provision of this Act is held invalid, the remainder of the Act shall not be affected thereby.

Approved, April 11, 1935.

[CHAPTER 58.]

AN ACT

To amend section 27 of the Merchant Marine Act, 1920.

April 11, 1935.

[S. 619.]

[Public, No. 33.]

Merchant Marine Act, 1920, amendment. Vol. 41, p. 999; U. S. C., p. 2067.

Great Lakes railroad-car ferries.

Exemption from forfeiture of certain merchandise transported on.

Post, p. 442.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Merchant Marine Act, 1920 (U. S. C., title 46, sec. 883), as amended, is amended by striking out the final period and inserting in lieu thereof a colon and the following: "*Provided further*, That this section shall not apply to the transportation of merchandise loaded on railroad cars or to motor vehicles with or without trailers, and with their passengers or contents when accompanied by the operator thereof, when such railroad cars or motor vehicles are transported in any railroad-car ferry operated between fixed termini on the Great Lakes as part of a rail route, if such car ferry is owned by a common carrier by water and operated as part of a rail route with the approval of the Interstate Commerce Commission, and if the stock of such common carrier by water, or its predecessor, was owned or controlled by a common carrier by rail prior to June 5, 1920, and if the stock of the common carrier owning such car ferry is, with the approval of the Interstate Commerce Commission, now owned or controlled by any common carrier by rail and if such car ferry is built in and documented under the laws of the United States."

Approved, April 11, 1935.

[CHAPTER 59.]

AN ACT

To authorize the Department of Labor to continue to make special statistical studies upon payment of the cost thereof, and for other purposes.

April 11, 1935.

[S. 857.]

[Public, No. 34.]

Department of Labor.

Special statistical studies by, continued. Vol. 48, p. 583.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Department of Labor to make special statistical studies upon payment of the cost thereof, and for other purposes " (Seventy-third Congress, ch. 118, 48 Stat. 582), and the authority therein conferred shall be, and hereby are, extended until April 13, 1937.

Approved, April 11, 1935.